

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
 Plaintiff)
) Cr.# 04-10304-RCL
 v.)
)
JARED CROWLEY)
 Defendant)

)

**DEFENDANT JARED CROWLEY'S OPPOSITION TO THE GOVERNMENT'S MOTION
TO CONTINUE SENTENCING FOR APPROXIMATELY 45 DAYS**

NOW comes defendant Jared Crowley and opposes the government's request to continue the sentencing presently scheduled for next Monday, 18th of July at 2:00 pm as he is *highly prejudiced* by this request.

As reasons therefore, the Defendant states as follows:

1. Rule 32 (b)(1) of the Fed. R. Cr. Pro., requires that the Court "impose sentence without unnecessary delay." Jared Crowley plead guilty to one count of felon in possession on April 11, 2005. At that time both counsel for defendant and the government advised the Court that because of the new requirements in U.S. v. Shepard, Mr. Crowley may or not be found to be an armed career criminal. Three months ago the government knew that this would be an issue for the Court's consideration.
2. Jared Crowley is prejudiced by the government's request. As stated in probation's pre-sentence report, Mr. Crowley has been **held on this very matter since 5/27/04** when he was arrested and later arraigned in Lowell District Court. The case was bound over to Middlesex Superior Court and his bail was set at \$50,000.00. The bail remains the same and **according to probation pre-sentence report he is scheduled to appear on July 18, 2005 for further status.**
3. Although the government has suggested that there is a colloquy available for two of the priors, Gov. Mot., p. 2, assuming *arguendo* such to be the case, it would not change the current guideline calculations.

4. Mr. Crowley initially appeared in Federal Court on October 8, 2004 and a Federal detainer is lodged against him. He desires and deserves closure on this matter.

For all of the reasons stated above, Defendant Jared Crowley objects to the government's request for a continuance of his sentencing.

Respectfully submitted,

/s/ *Victoria M. Bonilla*

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